

1 **IT IS HEREBY ORDERED THAT** Plaintiff's motion is granted. The Court
 2 finds that Defendant AMTRAK's failure to serve a timely and complete response to MR.
 3 CAMPBELL's written discovery was unreasonable within the meaning and spirit of the Federal
 4 Rules and the information sought is relevant to the subject matter of this dispute and reasonably
 5 calculated to lead to the discovery of admissible evidence. (*Ceramic Corp. of America v. Inka*
 6 *Maritime Corp.*, 163 F.R.D. 584, 589 (C.D.Cal. 1995); *Garrett v. City and County of San*
 7 *Francisco*, 818 F.2d 515, 1519 n. 6 (9th Cir. 1987); *Heyne v. Caruso*, 69 F.3d 1475, 1469-1481
 8 (9th Cir. 1994); *Morgan v. National Passenger Railroad Corporation*, 232 F.3d 1008, 1018 (9th
 9 Cir. 2000), *affirmed in part and reversed in part on other grounds in National Railroad*
 10 *Passenger Corporation v. Morgan*, 536 U.S. 101, 122 S.Ct. 2061, 2074 (2002).

11 The Court finds that Defendant AMTRAK waived its objections to Plaintiff's
 12 discovery requests by its failure to serve a timely response and its failure to comply with Rules
 13 26(b)(5) and Rule 34 of the Federal Rules of Civil Procedure. The Court further finds that there
 14 is good cause to enlarge the time for thirty-five (35) days after the Defendants' further production
 15 date for MR. CAMPBELL to complete his discovery. Defendant shall produce the documents
 16 and serve a complete Supplemental Response to MR. CAMPBELL's First Request for Production
 17 of Documents within ten (10) days from the date of this Order.

18 **IT IS SO ORDERED.**

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 20 Dated: _____

21 HON. ELIZABETH D. LAPORTE
 22 UNITED STATES MAGISTRATE JUDGE
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